

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

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BRUCE P. KRIEGMAN, solely in his capacity as court-appointed Chapter 11 Trustee for LLS America, LLC,

Plaintiff,

v.

MARTINA PEIPER, et al.,

Defendants.

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NO: 12-CV-628-RMP

Bankr. Case No. 09-06194-FPC11  
(Consolidated Case)

JUDGMENT AND JUDGMENT SUMMARY AGAINST TYLER FOERSTNER

**JUDGMENT SUMMARY**

1. Judgment Creditor: Bruce P. Kriegman, Liquidating Trustee for LLS America, LLC, as consolidated
2. Attorneys for Judgment Creditor: Witherspoon Kelley

1	3.	Judgment Debtor:	Tyler Foerstner
2	4.	Attorney for Debtor:	Pro Se
3	5.	Judgment Amount (CAD)	\$641,650.00 CAD
4	6.	Prejudgment Interest at .47% (7/21/09 – 2/4/15) (2,024 days)	\$16,722.98 CAD
5	7.	Total CAD Judgment	\$658,372.98 CAD
6	8.	Plus taxable costs in the amount to be determined by the Court	
7	9.	Interest Rate on Judgment:	.17% (28 U.S.C. § 1961)

9 Plaintiff filed Notice of Presentment of Judgment pursuant to Fed. R. Civ.  
 10 P. 52(a)(1) and 58(a), (d). ECF No. 68. After a bench trial held on October 14,  
 11 2014, the Court entered Amended Findings of Fact and Conclusions of Law, ECF  
 12 No. 67, which are fully incorporated here with the same force and effect as if set  
 13 forth verbatim. The Court being fully informed, **IT IS HEREBY ORDERED**  
 14 that:

15 1. Plaintiff, Bruce P. Kriegman, solely in his capacity as court-  
 16 appointed Chapter 11 Trustee for Debtor LLS America, LLC, is awarded  
 17 Judgment against Defendant Tyler Foerstner (“Defendant”) as follows:

18	a.	Judgment (CAD)	\$641,650.00 CAD
19	b.	Plus prejudgment interest from July 21, 2009 to February 4, 2015, and continuing thereafter until entry of this judgment, at the federal rate of .47% per annum	\$16,722.98 CAD

- 1 c. Plus taxable costs in the amount to be
- 2 determined by the Court
- 3 d. Plus post-judgment interest from the date
- 4 of Judgment until fully paid at the federal
- 5 rate of 0.17% per annum (28 U.S.C. §
- 6 1961); and

7 2. All proofs of claim filed by Defendants in Debtor's Bankruptcy  
8 proceedings or any claims that may hereafter arise are disallowed pursuant to 11  
9 U.S.C. § 502(d) unless and until the avoided transfers are returned to the Trustee-  
10 Plaintiff.

11 3. Defendant's claim(s) are equitably subordinated such that all proofs  
12 of claim that may hereafter arise or that have been filed or brought or that may  
13 hereafter be filed or brought by, on behalf of, or for the benefit of Defendant Tyler  
14 Foerstner, against Debtor's estate, in Debtor's bankruptcy or related bankruptcy  
15 proceedings are subordinated to all other unsecured claims, pursuant to 11 U.S.C.  
16 §§ 510(c)(1) and 105(a).

17 The District Court Executive is directed to enter this Order and to provide  
18 copies to counsel, to pro se Defendants, and to Judge Frederick P. Corbit.

19 **DATED** this 5th day of February 2015.

20 *s/ Rosanna Malouf Peterson*  
ROSANNA MALOUF PETERSON  
Chief United States District Court Judge